

ORDINANCE BILL NO. 60A FOR 1949

ORDINANCE NO. 740A

A BILL FOR AN ORDINANCE REGULATING THE DISPENSING, STORAGE, TRANSPORTATION, AND UNLOADING OF GASOLINE, AND OTHER INFLAMMABLE PETROLEUM PRODUCTS WITHIN THE CORPORATE LIMITS OF THE CITY OF LEBANON, ESTABLISHING THE CONSTRUCTION REQUIREMENTS OF STORAGE AND VEHICULAR TANKS, PROHIBITING SELF SERVICE STATIONS, REGULATING THE STORAGE OF LIQUEFIED GAS, AND DECLARING AN EMERGENCY:

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section I. It shall be unlawful for any person, firm, or corporation to erect or install or to cause or allow to be erected or installed, or to have, maintain, or operate within the City of Lebanon any tank, container, vessel or other receptacle the capacity of which shall exceed Two Thousand (2,000.00) gallons for the purpose of containing or storing or to contain or store therein any gasoline, kerosene, fuel oil, stove oil, or any other petroleum product of a similar nature and inflammability including any flammable liquid with a flash point below 100 degrees fahrenheit, or for the purpose of containing or storing for sale any fuel oil or stove oil or to have or place within or cause or allow to be had or placed within such tank, container, vessel, or other receptacle any such flammable liquids or fuel oil as herein mentioned. For the purpose of this ordinance, any and all tanks, containers vessels, or other receptacles connected together in a series by means of pipes, hoses other fittings or otherwise, shall be construed to constitute but one tank, container, vessel, or receptacle; except only that gasoline pumps of the size and type now in common commercial use shall not be considered as included within such single tank, container, vessel or receptacle.

Section II. Any tank or container used for the purpose of storing flammable liquid as above defined as the same has a capacity in excess of 550 gallons and shall be installed within the radius of 10 feet of any building shall be buried, under ground to such depth that the top of the tank shall be level with

the lower floors, basements, cellars or pits of such building and all other such tanks or containers shall be buried under ground with the top of the tank not less than two feet below the surface of the ground, and below the level of any piping to which the tanks may be connected. Except that in lieu of the two foot cover the tank may be buried under twelve inches of earth and a slab of reinforced concrete or equivalent construction in no case less than four inches in thickness, which slab shall be set on a firm, well tamped earth foundation, and shall extend at least one foot beyond the outline of the tank in all directions. Where necessary to prevent floating, tanks shall be securely anchored or weighted.

Where tanks are buried under driveways subject to traffic by heavy vehicles the total coverage above the top of the tank shall be not less than three feet; provided, however, that where such driveways are paved with reinforced concrete not less than six inches in thickness, the total coverage may be reduced to two feet.

Where a tank cannot be entirely buried, it shall be covered over with earth to a depth of at least two feet with a slope on all sides of not less than One and a half to one foot.

Tanks shall be set on a firm foundation and surrounded with soft earth or sand well tamped into place.

When located underneath a building the tanks shall be buried or otherwise installed and protected as to comply in all respects with the provisions of paragraph one of this section.

Section III. All tanks shall bear the label of Underwriter's Laboratories, Inc. or other nationally recognized laboratories and be approved by the Fire Chief.

Section IV; All such tanks and containers of flammable liquids as herein defined shall be constructed of such materials and in such manner and have such valves, vents and connections as will comply with the specifications of the National Board of Fire Underwriters.

Section V. The regulations herein provided shall apply only to storage tanks to be maintained for retail sales of flammable liquids and shall not be construed to permit the maintenance of such tanks for full sales as otherwise prohibited by Ordinance.

Section VI. No vehicle having the combined capacity of over 2,000.00 gallons shall be allowed to unload petroleum fuel within the corporate limits of the City of Lebanon with a flash point of less than one hundred degrees fahrenheit.

The term vehicle or unit of vehicles shall include a truck and trailer or any other vehicle of whatever construction or any truck, vehicle, unit of trucks, or trailers or any other combination of vehicles.

It shall be unlawful for the owner or operator of a public garage, public service station or other public dispensary of flammable liquids which have a flash point below one hundred degrees fahrenheit to permit the delivery of the dispensing of such liquids into the fuel tanks or motor vehicles or other containers except the owner, operator or regularly authorized employee thereof.

Recommended Regulatory Standard for Tank Vehicles for Flammable Liquids, prepared by the NFPA Committee on Flammable liquids adopted by the NFPA, 1948 is by reference incorporated and made a part of this ordinance as fully and to all intents and purposes as if the same were set out in full herein.

Section VII. Whenever a quantity of gasoline less than ten gallons is sold or dispensed by the owner or employee of any person of any garage, service station or any establishment dispensing petroleum products it shall be unlawful for such gasoline to be dispensed into any container other than an approved metal safety gasoline can.

Section VIII. It shall be unlawful to store or possess more than six (6) gallons of liquefied gas within the fire limits of the City of Lebanon, and any lesser amount shall be stored and used only in the manner approved by the requirements and specifications of the Oregon State Bureau of Labor.

It shall be unlawful to store or possess any larger quantity of liquefied gas than 150 gallons in any place within the City Limits of the City of Lebanon outside the fire limits, and in any case, such storage and possession shall be only in containers and under conditions prescribed by the rules and regulations of the Oregon Bureau of Labor.

Section IX. Any tank, use of tank, or depth of tank, or other use or condition which was lawful prior to the passage of this ordinance shall be lawful notwithstanding the provisions of this Ordinance, but if such tank, use of tank, storage, depth or other conditions shall hereafter be changed, such change must conform to the provisions of this Ordinance.

Section X. Ordinances No. 671 and 657 and all other Ordinances or parts of ordinances which are in conflict with this ordinance are repealed. Provided that where a portion of an ordinance conflicts with the provisions of this Ordinance the balance of said ordinance shall remain a valid and subsisting ordinance.

Section XI. Any person violating any of the provisions above mentioned shall, upon conviction thereof in the Recorder's Court be punished by a fine of not to exceed \$100.00 for the first violation and not to exceed \$ 200.00 for any subsequent violation thereof.

Each violation of this Ordinance shall be considered a separate offense.

Section XII. It hereby is adjudged and declared that existing conditions are such that this act is necessary for the immediate preservation of the public peace, health and safety, and an emergency is hereby declared to exist, and this act shall take effect and be in full force and effect from and after its passage.

Passed by the Council and approved by the Mayor this 18th day of October 1, 1949.




Mayor

ATTEST:



City Recorder


EATON'S
CORRASABLE
BOND
USA
BERKSHIRE